

REFERENCE TITLE: **arrest warrants; technical correction**

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

HB 2439

Introduced by
Representative Farnsworth

AN ACT

AMENDING SECTION 13-4405.01, ARIZONA REVISED STATUTES; RELATING TO VICTIMS' RIGHTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-4405.01, Arizona Revised Statutes, is amended to
3 read:

4 13-4405.01. Issuance and execution of arrest warrants

5 A. ~~Beginning on the effective date of this section,~~ On the issuance of
6 an arrest warrant, the court issuing the warrant shall state in the warrant
7 whether the person named in the warrant is to be arrested for or is to be
8 charged with committing a criminal offense as defined in section 13-4401 or **A**
9 **CRIMINAL OFFENSE THAT** is materially related to a criminal offense as defined
10 in section 13-4401.

11 B. On receipt of notice of an arrest or an impending arrest of a
12 suspect and if applicable pursuant to subsection A of this section, the
13 agency that is responsible for holding the original warrant shall notify the
14 law enforcement agency that was responsible for the original investigation of
15 the offense of the impending incarceration of a suspect who is arrested on
16 the law enforcement agency's warrant.

17 C. On receiving notice that the warrant was executed pursuant to
18 subsection B of this section, the law enforcement agency that was responsible
19 for the original investigation of the offense shall do all of the following
20 if the victim has requested notice pursuant to section 13-4405:

21 1. Notify the victim of the arrest and of the time, place and date for
22 the initial appearance.

23 2. Inform the victim of the telephone number of the custodial agency
24 in which the arrested person is held.

25 3. Provide the custodial agency with the victim information pursuant
26 to section 13-4405 so that the custodial agency may notify the victim of the
27 release **OR ESCAPE** of the suspect pursuant to section 13-4412, if applicable.

28 D. A law enforcement agency is not required to provide victim
29 information pursuant to Section 13-4405, subsections C and E to the custodial
30 agency at the time a suspect is taken into custody unless the law enforcement
31 agency that performs ~~that THE~~ warrant arrest is also the law enforcement
32 agency that was responsible for the original investigation of the offense.

33 E. The victim's right to be informed of an arrest or a release after a
34 suspect is arrested pursuant to a warrant applies to warrants that are issued
35 on or after September 1, 1996.

36 F. Law enforcement **AGENCIES**, courts and custodial agencies are not
37 liable pursuant to section 13-4437 for the failure to inform a victim of the
38 arrest or release of a suspect on warrants that were issued before September
39 1, 1996.